



PATENT
ATTORNEY DOCKET NO.: 29318/596
DIVISIONAL OF APPLN. NO.: 09/577,489

REMARKS

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Applicants respectfully request formal examination of this application.

I. STATUS OF THE CLAIMS

Claims 1-9 have been cancelled, without prejudice or disclaimer thereof, and claims 10-45 have been added to the application. Applicants reserve the right to prosecute the subject matter of the cancelled claims in this or another application.

Claims 10-45 are directed to liquid droplet aerosols of nanoparticulate compositions. Exemplary support for each claim given in the specification is described in the following table.

Claim(s)	Exemplary Support in the Specification
10, 28	Page 3, lines 18-19 (droplet size of about 50 microns or less); page 10, lines 24-25 (particle size of drug of less than about 1000 nm); page 2, line 35, through page 3, line 13 (delivery of aerosol to respiratory system of mammal); delivery of agents to the lung (page 1, lines 12-14); delivery of agents to the upper airways (page 1, lines 23-27; page 2, lines 3-5); page 4, lines 8-14 (crystalline drug); page 2, lines 15-17 and 30-32 (surface modifier).
11, 29	Page 10, lines 1-3; page 16, lines 27-28 (particle size of drug of less than about 400 nm)
12, 30	Page 16, lines 27-29 (particle size of drug of less than about 300 nm)
13, 31	Page 16, lines 29-30 (particle size of drug of less than about 100 nm)
14, 32	Page 6, line 1, through page 9, line 29 (surface modifiers).
15, 33	Page 8, lines 34-35; page 8, lines 20-21 (use of two or more surface modifiers).
16, 34	Page 10, lines 18-19; page 17, lines 10-11 (quantity of surface modifier).
17, 18, 35, 36	Page 10, lines 18-20 (quantity of surface modifier).
19, 37	Page 4, line 26, through page 5, line 11 (therapeutic agents).
20, 38	Example 1, page 18 (beclomethasone as a therapeutic agent).
21, 22, 39, 40	Page 10, lines 14-21 (quantity of therapeutic agent).
23, 41	Page 4, lines 20-24 (selection of liquid media).
24, 42	Page 3, line 34, through page 4, line 4 (use of a jet nebulizer).
25, 43	Page 4, lines 5-7 (use of an ultrasonic nebulizer)
26, 44	Page 3, lines 21-24 (respiratory illnesses).
27, 45	Page 3, lines 25-29 (aerosol comprising a liquid propellant).

Because the foregoing amendments do not introduce new matter, entry thereof by the Examiner is respectfully requested.



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II. CONCLUSION

Applicants respectfully request formal examination of this application in view of the above amendments and remarks. This application is now in condition for allowance and early notice to that effect is respectfully solicited.

Should the Examiner have any questions or comments regarding the pending application or this Preliminary Amendment, the Examiner is requested to call the undersigned at 202-672-5538.

If there are any fees due in connection with the filing of this Preliminary Amendment, please charge the fees to our Deposit Account No. 19-0741. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Michele M. Simkin

Reg. No. 34,717

Dated: July 10, 2000

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